

ESTTA Tracking number: **ESTTA346355**

Filing date: **05/07/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Converse Inc.
Granted to Date of previous extension	05/09/2010
Address	One High Street North Andover, MA 01845 UNITED STATES
Correspondence information	Converse Inc. One High Street North Andover, MA 01845 UNITED STATES mccoy@ahmrt.com, penfield@ahmrt.com, enfield@ahmrt.com, langston@ahmrt.com, docketing@ahmrt.com

Applicant Information

Application No	77476785	Publication date	11/10/2009
Opposition Filing Date	05/07/2010	Opposition Period Ends	05/09/2010
International Registration No.	NONE	International Registration Date	NONE
Applicant	Empire of Sports Developments Ltd. Clifton House 75 Fort Street Grand Cayman, KY1-1104 CAYMAN ISLANDS		

Goods/Services Affected by Opposition

<p>Class 009.</p> <p>All goods and services in the class are opposed, namely: Electronic publications, namely, downloadable magazines and manuals in the field of online games, and magazines and manuals in the field of online games recorded on computer media; electronic data files, namely, online game files downloadable via telecommunication networks and computer networks; computers; computer peripheral devices; computer programs for online games; electronic data media for software, namely, optical compact discs and digital data discs (DVDs) featuring sports, comedy, children's entertainment</p>
<p>Class 018.</p> <p>All goods and services in the class are opposed, namely: Trunks and suitcases; multipurpose carrying bags; beach bags; wallets; vanity cases sold empty; purses not of precious metal; handbags; umbrellas; traveling bags; rucksacks; key cases including leather key cases; sports bags; luggage bags with wheels</p>
<p>Class 025.</p> <p>All goods and services in the class are opposed, namely: Casual and sports apparel for men, women</p>

and children, namely, footwear, hats, and gloves; shirts; short-sleeved shirts; skirts; suits; jackets; trousers; shorts; pullovers; tee-shirts; pajamas; stockings; sleeveless vests; corsets; suspenders; briefs; brassieres; underclothing; hats; mufflers, scarves, ties; raincoats; overcoats; coats; bathing suits; tracksuits; quilted jackets; ski trousers; belts; fur coats; mufflers; gloves; peignoirs; footwear, children's shoes, slippers, shoes, training shoes, boots, socks and sandals; sporting articles, namely, headbands

Class 028.

All goods and services in the class are opposed, namely: Games, namely, board games and card games; toys, namely, action figures; athletic sporting goods, namely, athletic joint supports; children's toy furniture; fishing lines, rattles, balls for games, toy construction sets and toy building blocks, bells for Christmas trees, decorations for Christmas trees; domino sets, carnival masks, counters for games, amusement park rides, scale model vehicles, ring games, dolls and dolls' beds, dolls' houses, dolls' clothes; stuffed toys, electronic games other than those designed to be used with television receivers only, teddy bears, dice, cups for dice, quoits; playing cards

Class 035.

All goods and services in the class are opposed, namely: On-line retail store services featuring avatars and accessories for avatars in the nature of virtual goods, in particular, clothing, footwear, sunglasses, foods, beverages, nutritional supplements, dietary supplements, and sporting goods and equipment; Online retail store services featuring clothing, footwear, sunglasses, foods, beverages, nutritional supplements, dietary supplements, and sporting goods and equipment


Class 041.


All goods and services in the class are opposed, namely: Entertainment services, namely, providing virtual environments in which users of an online community can engage in interactive online games featuring avatars and accessories for avatars in the nature of virtual goods, in particular, clothing, footwear, sunglasses, foods, beverages, nutritional supplements, dietary supplements, and sporting goods and equipment; online publications, namely, e-zines, manuals, newsletters and news articles in the fields of sports, virtual sports and online games


Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	741662	Application Date	01/26/1962
Registration Date	12/04/1962	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U039 (International Class 025). First use: First Use: 1916/10/24 First Use In Commerce: 1916/10/24		


Canvas-Topped, Rubber-Soled Athletic Shoes			
U.S. Registration No.	924169	Application Date	10/06/1970
Registration Date	11/23/1971	Foreign Priority Date	NONE
Word Mark	CONVERSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class U022 (International Class 016, 018, 020, 022, 025, 028). First use: First Use: 1967/01/01 First Use In Commerce: 1967/01/01</p> <p>[GOLF SHOES, TRACK SHOES, WRESTLING SHOES, BASEBALL SHOES, FOOTBALL SHOES, SKATE SCABARDS, ANKLE SUPPORTS, TEETH GUARDS, HOCKEY PUCKS, AIR FLOATS AND AIR MATTRESSES]</p> <p>Class U039 (International Class 010, 025, 026). First use: First Use: 1967/01/01 First Use In Commerce: 1967/01/01</p> <p>[HUNTING BOOTS, FISHING BOOTS, INDUSTRIAL BOOTS, RUBBER BOOTS, TENNIS SHOES,] BASKETBALL SHOES, [BOAT SHOES,] GENERAL PURPOSE ATHLETIC SNEAKERS, [CASUAL SHOES, WADING SANDALS, JACKETS, TROUSERS, PARKAS, SHIRTS, OVERALLS, HATS, RAINCOATS, AND SUSPENDERS]</p>		


U.S. Registration No.	1053338	Application Date	02/24/1975
Registration Date	11/23/1976	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 1974/10/00 First Use In Commerce: 1975/01/00</p> <p>CANVAS AND IMITATION LEATHER TOPPED SOFT SOLED ATHLETIC SHOES AND CASUAL SHOES</p>		

U.S. Registration No.	1078480	Application Date	03/11/1977
Registration Date	11/29/1977	Foreign Priority Date	NONE
Word Mark	CONVERSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1976/12/00 First Use In Commerce: 1976/12/00 FOOTWEAR		

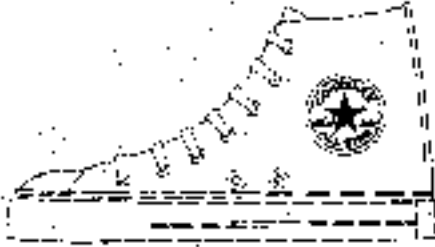
U.S. Registration No.	1138468	Application Date	08/23/1979
Registration Date	08/05/1980	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1977/02/01 First Use In Commerce: 1977/02/01 FOOTWEAR		


U.S. Registration No.	1146876	Application Date	08/23/1979
Registration Date	02/10/1981	Foreign Priority Date	NONE
Word Mark	ALL STAR		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1974/01/01 First Use In Commerce: 1974/01/01 Footwear


U.S. Registration No.	1215935	Application Date	01/19/1981
Registration Date	11/09/1982	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1979/11/00 First Use In Commerce: 1980/01/00 Shirts		


U.S. Registration No.	1490262	Application Date	08/14/1987
Registration Date	05/31/1988	Foreign Priority Date	NONE
Word Mark	CONVERSE CHUCK TAYLOR ALL STAR		


Design Mark	
Description of Mark	THE DRAWING IS A SHOE DESIGN SHOWN IN DOTTED LINES DEMONSTRATING THE PLACEMENT OF A CIRCULAR ANKLE PATCH ON THE SIDE OF THE SHOE.
Goods/Services	Class 025. First use: First Use: 1922/00/00 First Use In Commerce: 1922/00/00 ATHLETIC FOOTWEAR


U.S. Registration No.	1525779	Application Date	11/02/1987
Registration Date	02/21/1989	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1978/02/01 First Use In Commerce: 1978/02/01 SOCKS		

U.S. Registration No.	1632413	Application Date	07/28/1989
Registration Date	01/22/1991	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1976/12/00 First Use In Commerce: 1976/12/00 FOOTWEAR, [SOCKS AND WARM-UP SUITS]


U.S. Registration No.	1654951	Application Date	04/02/1990
Registration Date	08/27/1991	Foreign Priority Date	NONE
Word Mark	CONVERSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1986/12/15 First Use In Commerce: 1986/12/15 clothing; namely, footwear		


U.S. Registration No.	1738330	Application Date	09/26/1991
Registration Date	12/08/1992	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR CHUCK TAYLOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1987/01/00 First Use In Commerce: 1987/01/00 all purpose sports bags		


U.S. Registration No.	1789476	Application Date	11/06/1992
Registration Date	08/24/1993	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1946/00/00 First Use In Commerce: 1946/00/00 footwear		

U.S. Registration No.	1804563	Application Date	12/21/1992
Registration Date	11/16/1993	Foreign Priority Date	NONE
Word Mark	CONVERSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1984/01/00 First Use In Commerce: 1984/01/00 clothing; namely, knit T-shirts, collar placket shirts, [woven shirts, swimwear,] knit and woven shorts, [knit and] woven pants, tank tops, fleece tops and bottoms, wind resistant suits and jackets sports caps [and knit caps]		

U.S. Registration No.	1868414	Application Date	11/26/1993
Registration Date	12/20/1994	Foreign Priority Date	NONE
Word Mark	ONE STAR		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1993/06/00 First Use In Commerce: 1993/06/00 footwear

U.S. Registration No.	1877671	Application Date	08/10/1992
Registration Date	02/07/1995	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR CHUCK TAYLOR		
Design Mark			
Description of Mark	The broken lines are a feature of the mark and do not indicate the position of the mark on the goods.		
Goods/Services	Class 025. First use: First Use: 1972/00/00 First Use In Commerce: 1972/00/00 clothing; namely, T-shirts, shorts, tank tops, sweatsuits, vests, pants, jackets, swimwear, sweaters, jeans and outerwear; namely, lined jackets, insulated snow mobile suits and nylon jackets		

U.S. Registration No.	1981319	Application Date	08/10/1992
Registration Date	06/18/1996	Foreign Priority Date	NONE
Word Mark	ALL STAR		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1992/12/07 First Use In Commerce: 1992/12/07 clothing; namely, T-shirts, shorts, tank tops, sweatsuits, vests, pants, jackets, swimwear, sweaters, jeans and outerwear; namely, lined jackets, insulated snow mobile suits and nylon jackets

U.S. Registration No.	2063154	Application Date	05/28/1996
Registration Date	05/20/1997	Foreign Priority Date	NONE

Word Mark	CONVERSE ALL STAR CHUCK TAYLOR
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1993/02/15 First Use In Commerce: 1993/02/15 headwear, namely, sport and knit hats and caps


U.S. Registration No.	2098296	Application Date	03/20/1996
Registration Date	09/16/1997	Foreign Priority Date	NONE


Word Mark	CONVERSE ALL STAR
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1996/09/11 First Use In Commerce: 1996/09/11 athletic footwear, and clothing, namely, T-shirts, shorts, hats, jackets, tank tops, sweatpants and sweatshirts


U.S. Registration No.	2435788	Application Date	03/17/1999
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Registration Date	03/13/2001	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR CHUCK TAYLOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1999/11/30 First Use In Commerce: 1999/11/30 [MEN'S BRIEFS, BOXERS, BOXER BRIEFS, PANTS, KNIT SHIRTS, AND SCREEN-PRINTED UNDERWEAR AND LOUNGE WEAR, AND] T-SHIRTS		

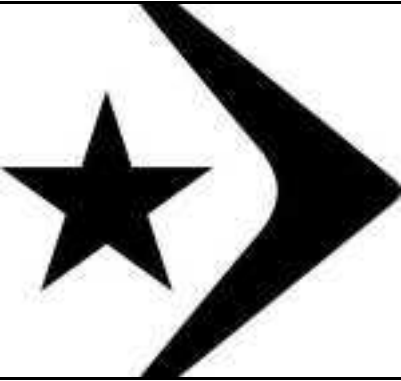
U.S. Registration No.	2435789	Application Date	03/17/1999
Registration Date	03/13/2001	Foreign Priority Date	NONE
Word Mark	ALL STAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1999/11/30 First Use In Commerce: 1999/11/30 CLOTHING NAMELY, [MEN'S BRIEFS, BOXERS, BOXER BRIEFS, PANTS, KNIT SHIRTS, AND SCREEN-PRINTED UNDERWEAR, LOUNGE WEAR AND] T-SHIRTS		


U.S. Registration No.	2466301	Application Date	03/05/1999
Registration Date	07/03/2001	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR CHUCK TAYLOR		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 1999/06/30 First Use In Commerce: 1999/06/30 [exercise books, wirebound books, wirebound hardback books, ballpoint pens, cartridge pens, elasticated binders, erasers, filled pencil cases, pencils, pencil packs, pencil sets] Class 018. First use: First Use: 1999/06/30 First Use In Commerce: 1999/06/30 book bags and briefcases-style portfolios

U.S. Registration No.	2529040	Application Date	12/27/1999
Registration Date	01/15/2002	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR CHUCK TAYLOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1989/07/31 First Use In Commerce: 1989/07/31 Eyewear		

U.S. Registration No.	2973804	Application Date	09/22/2003
Registration Date	07/19/2005	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	The mark consists of a star and chevron design.
Goods/Services	Class 025. First use: First Use: 2003/10/00 First Use In Commerce: 2003/10/00 footwear

U.S. Registration No.	1138469	Application Date	08/23/1979
Registration Date	08/05/1980	Foreign Priority Date	NONE
Word Mark	CONVERSE ALL STAR CHUCK TAYLOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1946/00/00 First Use In Commerce: 1946/00/00 FOOTWEAR		

Attachments	72136634#TMSN.gif (1 page)(bytes) 72372578#TMSN.gif (1 page)(bytes) 73044904#TMSN.gif (1 page)(bytes) 73118741#TMSN.gif (1 page)(bytes) 73228707#TMSN.gif (1 page)(bytes) 73228706#TMSN.gif (1 page)(bytes) 73293693#TMSN.gif (1 page)(bytes) 73678527#TMSN.gif (1 page)(bytes) 73693236#TMSN.gif (1 page)(bytes) 73815375#TMSN.gif (1 page)(bytes) 74044591#TMSN.gif (1 page)(bytes) 74207058#TMSN.gif (1 page)(bytes) 74328801#TMSN.gif (1 page)(bytes) 74341917#TMSN.gif (1 page)(bytes) 74463082#TMSN.gif (1 page)(bytes)
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	2466301.pdf (1 page)(25848 bytes)
	2529040.pdf (1 page)(19837 bytes)
	2973804.pdf (1 page)(19422 bytes)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.


Signature	/Per J. Enfield/
Name	Converse Inc.
Date	05/07/2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Converse, Inc.,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
Empire of Sports Developments Ltd.)	
)	
Applicant.)	
_____)	

Commissioner for Trademarks
Box TTAB FEE
2900 Crystal Drive
Arlington, Virginia 22202-3514

NOTICE OF OPPOSITION

In the matter of the application of Empire of Sports Developments Ltd. ("Applicant"), for registration of the mark  **SWAMP**, application Serial No. 77/476,785, published in the Official Gazette on November 10, 2009, Converse, Inc. ("Opposer"), a corporation organized under the laws of Delaware, with its principal place of business at One High Street, North Andover, Massachusetts 01845-2601, believes that it will be damaged by registration of the mark shown in Serial No. 77/476,785 and hereby opposes registration.

The grounds for opposition are as follows:


1. Opposer is a corporation, doing business as Converse, Inc, organized under the laws of Delaware, with its principal place of business at One High Street, North Andover, Massachusetts 01845-2601.
2. Opposer has been and continues to be engaged in the business of designing, marketing and selling clothing, footwear, bags, backpacks, sporting goods and other goods and related services in the United States and abroad.
3. Since at least 1916, Opposer has continuously used in interstate commerce marks including a prominent five-pointed star design. Opposer owns and uses a family of marks including a



prominent five-pointed star design ("Star Marks") to identify clothing, footwear, bags, backpacks, sporting goods and other related goods and services originating from the Opposer in commerce.

4. Opposer is the owner of the following United States trademark registrations for its Star Marks:

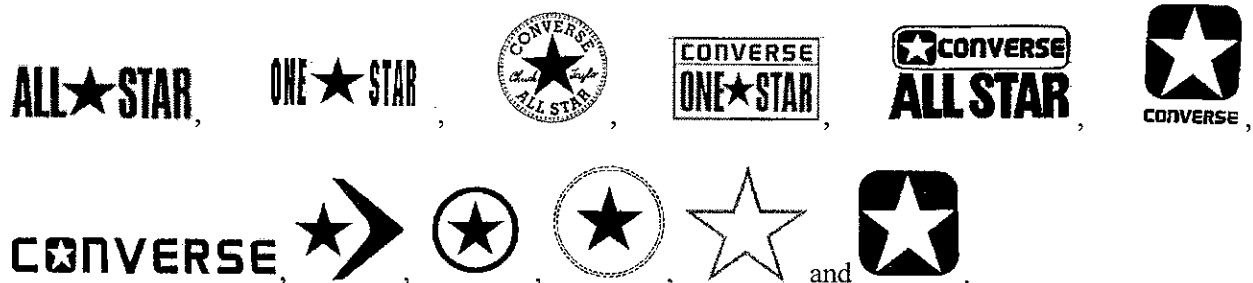
Registration Number	Registration Date	International Class
741,662	Dec. 4, 1962	25
924,169	Nov. 23, 1971	25, 28
1,053,338	Nov. 23, 1976	25
1,078,480	Nov. 29, 1977	25
1,138,468	Aug. 5, 1980	25
1,138,469	Aug. 5, 1980	25
1,146,876	Feb. 10, 1981	25
1,215,935	Nov. 9, 1982	25
1,490,262	May 31, 1988	25
1,525,779	Feb. 21, 1989	25
1,632,413	Jan. 22, 1991	25
1,654,951	Aug. 27, 1991	25
1,738,330	Dec. 8, 1992	18
1,789,476	Aug. 24, 1993	25
1,804,563	Nov. 16, 1993	25
1,868,414	Dec. 20, 1994	25
1,877,671	Feb. 7, 1995	25
1,981,319	June 18, 1996	25
2,063,154	May 20, 1997	25
2,098,296	Sep. 16, 1997	25
2,435,788	Mar. 13, 2001	25
2,435,789	Mar. 13, 2001	25
2,466,301	July 3, 2001	16, 18
2,529,040	Jan. 15, 2002	9
2,973,804	July 19, 2005	25

5. The Star Marks include, but are not limited to, a five pointed star alone, a five pointed star with other words, a five pointed star between two words, a five pointed star with other design

elements, and a five pointed star inside a circle, such as , as in U.S. Reg. Nos. 1,789,476 and

3,437,967, , as in U.S. Reg. No. 1,789,476 and , as in U.S. Reg. Nos. 1,138,469, 1,877,671, 2,063,154, 2,435,788, 2,466,301 and 2,529,040.

6. Opposer has common law rights in the Star Marks for use in connection with clothing, footwear and related goods. The Star Marks include, but are not limited to, the following marks:



7. Opposer has used and continues to use the Star Marks, and the goods in connection therewith have been popular and the subject of significant advertising and promotional activities.

8. Opposer has promoted and sold its goods in interstate commerce under its Star Marks since prior to any alleged use by Applicant of the mark shown in the Application.

9. The use of Opposer's Star Marks has been valid and continuous since the dates of first use and Opposer has not abandoned the Star Marks. Opposer's Star Marks are symbolic of extensive goodwill and consumer recognition built up by Opposer through substantial amounts of time and effort in advertising and promotion. Opposer's Star Marks identify and distinguish Opposer's goods from the goods of others, and identify the source and origin thereof to both the trade and the public.

10. Prior to Applicant's adoption of its mark, if any, Opposer's Star Marks have been used and promoted in such a way as to create a public perception of the prominent five-pointed star design as a distinctive family characteristic and as an indication of source. Opposer's Star Marks continue to be used and promoted in such a way so as to constitute a family of marks, of which the Applicant's mark appears to be a member.

11. Opposer's family of Star Marks, including but not limited to



, **ALL★STAR**,




, and



, are believed to be famous as that term is defined under 15 U.S.C. §1125.

12. Notwithstanding Opposer's rights in and to its Star Marks, Applicant, on May 16, 2008,

filed an application for registration of the mark . Applicant's application was given Serial No. 77/476,785 and was published for opposition in the Official Gazette on November 10, 2009.

13. The published application for the mark  includes the following goods:

Electronic publications, namely, downloadable magazines and manuals in the field of online games, and magazines and manuals in the field of online games recorded on computer media; electronic data files, namely, online game files downloadable via telecommunication networks and computer networks; computers; computer peripheral devices; computer programs for online games; electronic data media for software, namely, optical compact discs and digital data discs (DVDs) featuring sports, comedy, children's entertainment in International Class 009.

Trunks and suitcases; multipurpose carrying bags; beach bags; wallets; vanity cases sold empty; purses not of precious metal; handbags; umbrellas; traveling bags; rucksacks; key cases including leather key cases; sports bags; luggage bags with wheels in International Class 018.


Casual and sports apparel for men, women and children, namely, footwear, hats, and gloves; shirts; short-sleeved shirts; skirts; suits; jackets; trousers; shorts; pullovers; tee-shirts; pajamas; stockings; sleeveless vests; corsets; suspenders; briefs; brassieres; underclothing; hats; mufflers, scarves, ties; raincoats; overcoats; coats; bathing suits; tracksuits; quilted jackets; ski trousers; belts; fur coats; mufflers; gloves; peignoirs; footwear, children's shoes, slippers, shoes, training shoes, boots, socks and sandals; sporting articles, namely, headbands in International Class 025.

Games, namely, board games and card games; toys, namely, action figures; athletic sporting goods, namely, athletic joint supports; children's toy furniture; fishing lines, rattles, balls for games, toy construction sets and toy building blocks, bells for Christmas trees, decorations for Christmas trees; domino sets, carnival masks, counters for games, amusement park rides, scale model vehicles, ring games, dolls and dolls' beds, dolls' houses, dolls' clothes; stuffed toys, electronic games other than those designed to be used with television receivers only, teddy bears, dice, cups for dice, quoits; playing cards in International Class 028.

On-line retail store services featuring avatars and accessories for avatars in the nature of virtual goods, in particular, clothing, footwear, sunglasses, foods, beverages, nutritional supplements, dietary supplements, and sporting goods and equipment; Online retail store services featuring clothing, footwear, sunglasses, foods, beverages, nutritional supplements, dietary supplements, and sporting goods and equipment in International Class 035.

Entertainment services, namely, providing virtual environments in which users of an online community can engage in interactive online games featuring avatars and accessories for avatars in the nature of virtual goods, in particular, clothing, footwear, sunglasses, foods, beverages, nutritional supplements, dietary supplements, and sporting goods and equipment; online publications, namely, e-zines, manuals, newsletters and news articles in the fields of sports, virtual sports and online games in International Class 041.

14. Applicant's recited goods are closely related to the goods offered by Opposer for the Star Marks and consumers may be confused as to source of the goods.

15. Applicant's mark , when used in connection with the goods set forth in its application, is confusingly similar to Opposer's use of its Star Marks. Registration of Applicant's mark and use by it for its goods in the U.S. is likely to cause confusion, mistake and deception among consumers. Registration of Applicant's mark may damage the goodwill and consumer recognition that Opposer has built up in its Star Marks.

16. Applicant's mark dilutes or is likely to dilute or will dilute Opposer's distinctive and famous Star Marks in violation of Section 43(c) of the Act.

17. Commercial use of the Applicant's mark will cause or is likely to cause dilution of the distinctive quality of Opposer's famous Star Marks, as that term is defined in 15 U.S.C. §1125.


WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's mark, and prays that registration be denied.

Opposer authorizes the Commissioner for Trademarks to charge the fee for filing this Notice of Opposition, or any other additional fees that may be due, to Deposit Account 503397.

DATED this 7th day of May, 2010.

Respectfully submitted,

Alleman Hall McCoy Russell & Tuttle LLP


A handwritten signature in black ink, appearing to read 'Per Enfield', is written over a horizontal line.

Per Enfield
Oregon Bar Member
Attorney for Opposer
806 S.W. Broadway, Suite 600
Portland, Oregon 97204
Telephone: (503) 459-4141
Facsimile: (503) 459-4142

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION was served by First Class Mail upon Applicant Empire of Sports Developments Ltd. at the address of record below on this 7th day of May, 2010:

Stacey R. Halpern
Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, Fourteenth Floor
Irvine CA 92614



Per Enfield
Attorney for Opposer

United States Patent Office

741,662
Registered Dec. 4, 1962

PRINCIPAL REGISTER Trademark

Ser. No. 136,634, filed Jan. 26, 1962



Converse Rubber Corporation (Massachusetts corporation)
392 Pearl St.
Malden, Mass.

For: CANVAS-TOPPED, RUBBER-SOLED ATHLETIC SHOES, in CLASS 39.
First use Oct. 24, 1916; in commerce Oct. 24, 1916.
Owner of Reg. No. 369,971.

Int. Cls.: 25 and 28

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 924,169

Registered Nov. 23, 1971

Renewal Term Begins Nov. 23, 1991

TRADEMARK
PRINCIPAL REGISTER



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD,
NORTH READING, MA 018642680, BY
MERGER, MERGER AND CHANGE
OF NAME AND MESNE ASSIGN-
MENT FROM CONVERSE RUBBER
CORPORATION (MASSACHUSETTS
CORPORATION) MALDEN, MA

OWNER OF U.S. REG. NOS. 131,728,
741,662 AND 868,375.

FOR: GOLF SHOES, TRACK SHOES,
WRESTLING SHOES, BASEBALL
SHOES, FOOTBALL SHOES, SKATE
SCABARDS, ANKLE SUPPORTS, TEETH
GUARDS, HOCKEY PUCKS, AIR

FLOATS AND AIR MATTRESSES, IN
CLASS 22 (INT. CLS. 25 AND 28).

FIRST USE 1-1-1967; IN COMMERCE
1-1-1967.

FOR: HUNTING BOOTS, FISHING
BOOTS, INDUSTRIAL BOOTS, RUBBER
BOOTS, TENNIS SHOES, BASKETBALL
SHOES, BOAT SHOES, GENERAL PUR-
POSE ATHLETIC SNEAKERS, CASUAL
SHOES, WADING SANDALS, JACKETS,
TROUSERS, PARKAS, SHIRTS, OVER-
ALLS, HATS, RAINCOATS, AND SUS-
PENDERS, IN CLASS 39 (INT. CL. 25).

FIRST USE 1-1-1967; IN COMMERCE
1-1-1967.

SER. NO. 72-372,578, FILED 10-6-1970.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Feb. 25, 1992.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 25

Prior U.S. Cl.: 39

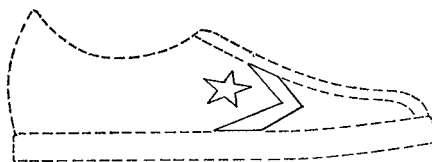
United States Patent Office

Reg. No. 1,053,338

Registered Nov. 23, 1976

TRADEMARK

Principal Register



Eltra Corporation (New York corporation)
55 Fordham Road
Wilmington, Mass. 01887

For: CANVAS AND IMITATION LEATHER
TOPPED SOFT SOLED ATHLETIC SHOES AND
CASUAL SHOES, in CLASS 25 (U.S. CL. 39).

First use at least as early as October 1974; in com-
merce at least as early as January 1975.

Owner of Reg. Nos. 741,662 and 948,576.

Ser. No. 44,904, filed Feb. 24, 1975.

R. E. WOLFINGTON, Examiner

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent Office

Reg. No. 1,078,480

Registered Nov. 29, 1977

TRADEMARK

Principal Register



CONVERSE

Eltra Corporation (New York corporation)
P.O. Box 931
Toledo, Ohio 43694

For: FOOTWEAR, in CLASS 25 (U.S. CL. 39).
First use December 1976; in commerce December 1976.

Owner of Reg. Nos. 131,728, 924,169, and others.

Ser. No. 118,741, filed Mar. 11, 1977.

R. E. WOLFINGTON, Examiner

Int. Cl.: 25

Prior U.S. Cl.: 39

Reg. No. 1,138,468

United States Patent and Trademark Office

Registered Aug. 5, 1980

TRADEMARK

Principal Register



Eltra Corporation (New York corporation)
P.O. Box 931
Toledo, Ohio 43694

For: FOOTWEAR, in CLASS 25 (U.S. CL. 39).
First use Feb. 1, 1977; in commerce Feb. 1, 1977.
Owner of U.S. Reg. Nos. 369,971, 868,375 and 924,169.

Ser. No. 228,707. Filed Aug. 23, 1979.

B. A. CHAPMAN, Primary Examiner

66-007

Int. Cl.: 25

Prior U.S. Cl.: 39

Reg. No. 1,138,469

United States Patent and Trademark Office

Registered Aug. 5, 1980

TRADEMARK

Principal Register

REGISTERED FOR A TERM OF 20 YEARS FROM Aug. 5, 1980



Eltra Corporation (New York corporation)
P.O. Box 931
Toledo, Ohio 43694

For: FOOTWEAR, in CLASS 25 (U.S. CL. 39).
First use Jan. 1, 1965; in commerce Jan. 1, 1965.
Owner of U.S. Reg. Nos. 369,971, 868,375 and 741,662.
"Chuck Taylor" is the name of an individual, now deceased.

Ser. No. 228,708. Filed Aug. 23, 1979.

B. A. CHAPMAN, Primary Examiner

Attest

Certified to be a true copy of the registration
Issued by the United States Patent & Trademark
Office, which registration is in full force
and effect. Record title is in Converse
Inc., a Mass. corp.

JUL 14 1983
C.R. Hill
Attesting Officer



A handwritten signature in dark ink, likely belonging to the Primary Examiner, B. A. Chapman.

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,146,876

Registered Feb. 10, 1981

TRADEMARK
Principal Register

ALL★STAR

Eltra Corporation (New York corporation)
P.O. Box 931
Toledo, Ohio 43694

For: FOOTWEAR, in CLASS 25 (U.S. Cl. 39).
First use Jan. 1, 1974; in commerce Jan. 1, 1974.
Owner of U.S. Reg. Nos. 369,971 and 741,662.

Ser. No. 228,706, filed Aug. 23, 1979.

PAUL F. GAST, Primary Examiner

Int. Cl.: 25

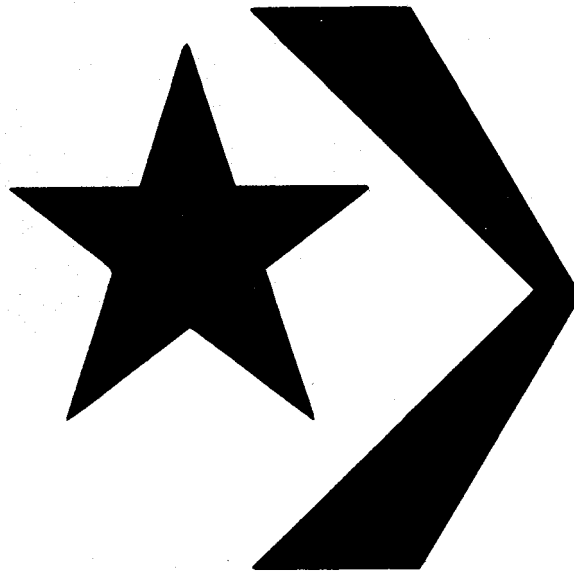
Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,215,935

Registered Nov. 9, 1982

TRADEMARK
Principal Register



Converse Inc. (Massachusetts corporation)
55 Fordham Rd.
Wilmington, Mass. 01887, assignee of
Eltra Corporation (Delaware corporation)
Toledo, Ohio

First use Nov. 1979; in commerce Jan. 1980.
Owner of U.S. Reg. Nos. 1,053,338 and 1,169,407.

Ser. No. 293,693, filed Jan. 19, 1981.

For: SHIRTS, in CLASS 25 (U.S. Cl. 39).

MICHAEL D. HAMILTON, Examining Attorney

Int. Cl.: 25

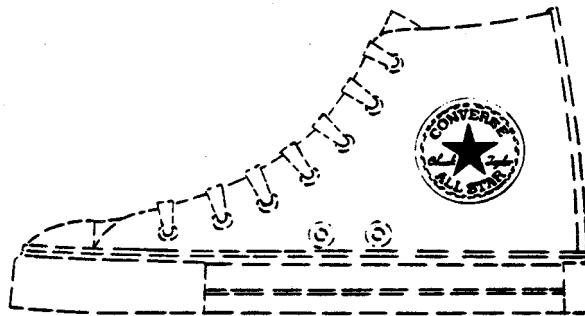
Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,490,262

Registered May 31, 1988

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: ATHLETIC FOOTWEAR, IN CLASS 25
(U.S. CL. 39).

FIRST USE 0-0-1922; IN COMMERCE
0-0-1922.

OWNER OF U.S. REG. NOS. 1,138,468, 1,146,876
AND OTHERS.

"CHUCK TAYLOR" IS THE NAME OF A DECEASED PERSON, AND NOT THAT OF A PARTICULAR LIVING INDIVIDUAL.

THE DRAWING IS A SHOE DESIGN SHOWN IN DOTTED LINES DEMONSTRATING THE PLACEMENT OF A CIRCULAR ANKLE PATCH ON THE SIDE OF THE SHOE.

SER. NO. 678,527, FILED 8-14-1987.

SCOTT WASH, EXAMINING ATTORNEY

Int. Cl.: 25

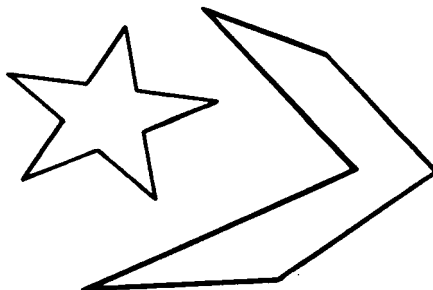
Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,525,779

Registered Feb. 21, 1989

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FIRST USE 2-1-1978; IN COMMERCE
2-1-1978.
SEC. 2(F).

SER. NO. 693,236, FILED 11-2-1987.

FOR: SOCKS, IN CLASS 25 (U.S. CL. 39).

MARIA SOLOMON, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,632,413

Registered Jan. 22, 1991

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

OWNER OF U.S. REG. NOS. 741,662, 1,547,177
AND OTHERS.

SEC. 2(F).

FOR: FOOTWEAR, SOCKS AND WARM-UP
SUITS, IN CLASS 25 (U.S. CL. 39).

SER. NO. 73-815,375, FILED 7-28-1989.

FIRST USE 12-0-1976; IN COMMERCE
12-0-1976.

KATHERINE STOIDES, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,654,951

Registered Aug. 27, 1991

**TRADEMARK
PRINCIPAL REGISTER**

CONVERSE

CONVERSE, INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FIRST USE 12-15-1986; IN COMMERCE
12-15-1986.

SER. NO. 74-044,591, FILED 4-2-1990.

FOR: CLOTHING; NAMELY, FOOTWEAR, IN
CLASS 25 (U.S. CL. 39).

ANDREW D. LAWRENCE, EXAMINING ATTORNEY

Int. Cl.: 18

Prior U.S. Cl.: 3

United States Patent and Trademark Office

Reg. No. 1,738,330

Registered Dec. 8, 1992

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 01864

FOR: ALL PURPOSE SPORTS BAGS, IN
CLASS 18 (U.S. CL. 3).
FIRST USE 1-0-1987; IN COMMERCE
1-0-1987.

OWNER OF U.S. REG. NOS. 868,375, 1,276,236
AND OTHERS.

THE BROKEN LINES IN THE DRAWING
ARE A FEATURE OF THE MARK.

THE NAME "CHUCK TAYLOR" DOES NOT
IDENTIFY A LIVING INDIVIDUAL.

SER. NO. 74-207,058, FILED 9-26-1991.

ANDREW D. LAWRENCE, EXAMINING AT-
TORNEY

Int. Cl.: 25

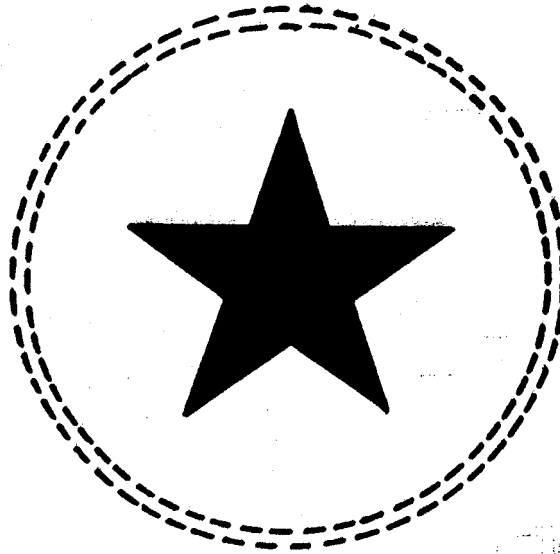
Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,789,476

Registered Aug. 24, 1993

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FIRST USE 0-0-1946; IN COMMERCE
0-0-1946.

SER. NO. 74-328,801, FILED 11-6-1992.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CL. 39).

MIDGE BUTLER, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office **Reg. No. 1,804,563**
Registered Nov. 16, 1993

**TRADEMARK
PRINCIPAL REGISTER**

CONVERSE

CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: CLOTHING; NAMELY, KNIT T-SHIRTS, COLLAR PLACKET SHIRTS, WOVEN SHIRTS, SWIMWEAR, KNIT AND WOVEN SHORTS, KNIT AND WOVEN PANTS, TANK TOPS, FLEECE TOPS AND BOTTOMS, WIND RESISTANT SUITS AND JACKETS SPORTS

CAPS AND KNIT CAPS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 1-0-1984; IN COMMERCE 1-0-1984.

OWNER OF U.S. REG. NOS. 1,138,468, 1,568,131 AND OTHERS.

SER. NO. 74-341,917, FILED 12-21-1992.

ANDREW D. LAWRENCE, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,868,414

Registered Dec. 20, 1994

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FIRST USE 6-0-1993; IN COMMERCE
6-0-1993.

SER. NO. 74-463,082, FILED 11-26-1993.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CL. 39).

ANDREW D. LAWRENCE, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,877,671

Registered Feb. 7, 1995

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: CLOTHING; NAMELY, T-SHIRTS, SHORTS, TANK TOPS, SWEATSUITS, VESTS, PANTS, JACKETS, SWIMWEAR, SWEATERS, JEANS AND OUTERWEAR; NAMELY, LINED JACKETS, INSULATED SNOW MOBILE SUITS AND NYLON JACKETS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 0-0-1972; IN COMMERCE 0-0-1972.

OWNER OF U.S. REG. NOS. 868,375, 1,195,794 AND OTHERS.

THE NAME "CHUCK TAYLOR" IDENTIFIES A INDIVIDUAL WHO IS NOW DECEASED.

THE BROKEN LINES ARE A FEATURE OF THE MARK AND DO NOT INDICATE THE POSITION OF THE MARK ON THE GOODS.

SER. NO. 74-302,298, FILED 8-10-1992.

ANDREW D. LAWRENCE, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 1,981,319

United States Patent and Trademark Office Registered June 18, 1996

**TRADEMARK
PRINCIPAL REGISTER**

ALL★STAR

CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: CLOTHING; NAMELY, T-SHIRTS, SHORTS, TANK TOPS, SWEATSUITS, VESTS, PANTS, JACKETS, SWIMWEAR, SWEATERS, JEANS AND OUTERWEAR; NAMELY, LINED JACKETS, INSULATED SNOW MOBILE SUITS

AND NYLON JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 12-7-1992; IN COMMERCE 12-7-1992.

OWNER OF U.S. REG. NOS. 1,138,468, 1,568,131, AND OTHERS.

SN 74-302,907, FILED 8-10-1992.

ANDREW LAWRENCE, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,063,154

United States Patent and Trademark Office

Registered May 20, 1997

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: HEADWEAR, NAMELY, SPORT AND
KNIT HATS AND CAPS, IN CLASS 25 (U.S.
CLS. 22 AND 39).

FIRST USE 2-15-1993; IN COMMERCE
2-15-1993.

OWNER OF U.S. REG. NOS. 1,138,469, 1,877,671
AND OTHERS.

"CHUCK TAYLOR" IDENTIFIES AN INDIVIDUAL WHO IS NOW DECEASED.

SER. NO. 75-110,027, FILED 5-28-1996.

FRANCES G. SMITH, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,098,296

United States Patent and Trademark Office

Registered Sep. 16, 1997

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: ATHLETIC FOOTWEAR, AND CLOTHING, NAMELY, T-SHIRTS, SHORTS, HATS, JACKETS, TANK TOPS, SWEATPANTS AND SWEATSHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-11-1996; IN COMMERCE 9-11-1996.

OWNER OF U.S. REG. NOS. 1,138,468, 1,804,563, AND OTHERS.

SN 75-075,527, FILED 3-20-1996.

MICHELLE S. WISEMAN, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,435,788

Registered Mar. 13, 2001

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642619

OWNER OF U.S. REG. NO. 1,868,363.

FOR: MEN'S BRIEFS, BOXERS, BOXERBRIEFS,
PANTS, KNIT SHIRTS, AND SCREEN-PRINTED
UNDERWEAR AND LOUNGEWEAR, AND T-
SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

THE NAME SHOWN IN THE MARK IDENTIFIES
A PERSON, NOW DECEASED.

SN 75-662,554, FILED 3-17-1999.

FIRST USE 11-30-1999; IN COMMERCE 11-30-1999.

MELVIN AXILBUND, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,435,789

Registered Mar. 13, 2001

**TRADEMARK
PRINCIPAL REGISTER**

ALL★STAR

CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642619

FIRST USE 11-30-1999; IN COMMERCE 11-30-1999.

OWNER OF U.S. REG. NO. 1,146,876.

FOR: CLOTHING NAMELY, MEN'S BRIEFS,
BOXERS, BOXER BRIEFS, PANTS, KNIT SHIRTS,
AND SCREEN-PRINTED UNDERWEAR, LOUNGE-
WEAR AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22
AND 39).

SN 75-662,559, FILED 3-17-1999.

MELVIN AXILBUND, EXAMINING ATTORNEY

Int. Cls.: 16 and 18

Prior U.S. Cls.: 1, 2, 3, 5, 22, 23, 29, 37, 38, 41, and 50

United States Patent and Trademark Office

Reg. No. 2,466,301

Registered July 3, 2001

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 018642680

FOR: EXERCISE BOOKS, WIREBOUND BOOKS,
WIREBOUND HARDBACK BOOKS, BALLPOINT
PENS, CARTRIDGE PENS, ELASTICATED BIN-
DERS, ERASERS, FILLED PENCIL CASES, PEN-
CILS, PENCIL PACKS, PENCIL SETS, IN CLASS 16
(U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-30-1999; IN COMMERCE 6-30-1999.

FOR: BOOK BAGS AND BRIEFCASES-STYLE
PORTFOLIOS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22
AND 41).

FIRST USE 6-30-1999; IN COMMERCE 6-30-1999.

OWNER OF U.S. REG. NOS. 1,053,338 AND
1,138,469.

SN 75-654,970, FILED 3-5-1999.

MELVIN AXILBUND, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,529,040

Registered Jan. 15, 2002

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE FORDHAM ROAD
NORTH READING, MA 01864

FOR: EYEWEAR, IN CLASS 9 (U.S. CLS. 21, 23, 26,
36 AND 38).

FIRST USE 7-31-1989; IN COMMERCE 7-31-1989.

OWNER OF U.S. REG. NOS. 1,981,319, 2,063,154
AND OTHERS.

THE NAME "CHUCK TAYLOR" DOES NOT
IDENTIFY A LIVING INDIVIDUAL.

SER. NO. 75-881,244, FILED 12-27-1999.

LAVERNE THOMPSON, EXAMINING ATTORNEY

Int. Cl.: 25

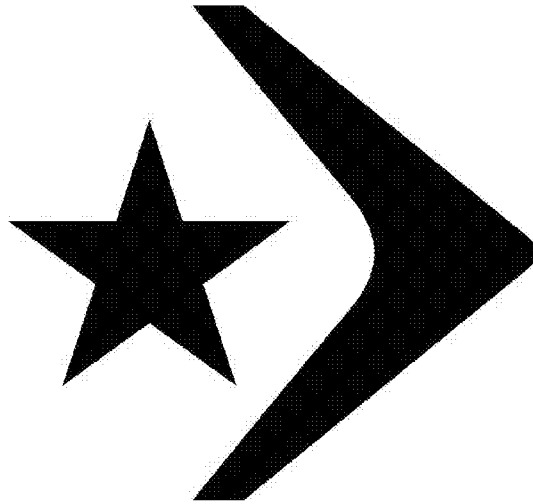
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,973,804

Registered July 19, 2005

**TRADEMARK
PRINCIPAL REGISTER**



CONVERSE INC. (DELAWARE CORPORATION)
ONE HIGH STREET
NORTH ANDOVER, MA 01845

THE MARK CONSISTS OF A STAR AND CHEV-
RON DESIGN.

FOR: FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND
39).

SEC. 2(F).

FIRST USE 10-0-2003; IN COMMERCE 10-0-2003.

SN 78-303,567, FILED 9-22-2003.

OWNER OF U.S. REG. NOS. 1,215,935 AND
1,525,779.

VERNA BETH RIRIE, EXAMINING ATTORNEY